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Santa Clara, CA 95052

Intel Legal Team

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Page 1 of 13

Date: January 26, 2005

To: Kenneth S. Kim Fax: 703-872-9306 Phone: 703-305-9693  
United States Patent and Trademark Office

From: David N. Tran Fax: 408-765-7723 Phone: 408-765-4692

Subject: Amendment for Application Serial No. 10/038,038

**A CONFIRMATION COPY OF THIS DOCUMENT:**

**WILL NOT BE SENT**

Application No.: 10/038,038  
Filing Date: January 2, 2002  
First Named Inventor: Ryan Rakvic, et al.  
Group Art Unite: 2111  
Examiner Name: Kenneth S. Kim  
Attorney Docket No.: 42390.P13150

**Enclosures:**

1. Transmittal Letter (1 page)
2. Fee Transmittal FY 2004 (1 page in duplicate)
3. Amendment and Response to Restriction Requirement (9 Pages).

**Important Notice**

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PTO/SB/21 (09-04)

Approved for use through 07/31/2006, OMB 0681-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/038,038

Filing Date

January 2, 2002

First Named Inventor

Ryan Rakvic

Art Unit

2111

Examiner Name

Kenneth S. Kim

Attorney Docket Number

P13150

**ENCLOSURES (Check all that apply)**

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/  
Incomplete ApplicationReply to Missing Parts  
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_



Landscape Table on CD



After Allowance Communication to TC

Appeal Communication to Board  
of Appeals and InterferencesAppeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify  
below):

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

David N. Tran

Signature

Printed name

Date

January 28, 2005

Reg. No.

50,804

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

David N. Tran

Date

January 28, 2005

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PTO/SB/17 (12-04v2)

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**  
**For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

**Complete if Known**

Application Number	10/038,038
Filing Date	01/02/2002
First Named Inventor	Ryan Rakvic
Examiner Name	Kenneth S. Kim
Art Unit	2111
Attorney Docket No.	P13150

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**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 50-0221 Deposit Account Name: Intel Corporation

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	0

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)	Small Entity Fee (\$)
50	25

Each independent claim over 3 (including Reissues)

200 100

Multiple dependent claims

360 180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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$$\text{HP} = \text{highest number of total claims paid for, if greater than 20.}$$

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
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$$\text{HP} = \text{highest number of independent claims paid for, if greater than 3.}$$
**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
--------------	--------------	--	----------	---------------

$$- 100 = \quad / 50 = \quad (\text{round up to a whole number}) \times \quad = \quad 0$$
**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

Other (e.g., late filing surcharge): 120

120

**SUBMITTED BY**

Signature

Registration No.  
(Attorney/Agent) 50,804

Telephone (408) 785-4692

Name (Print/Type): David N. Tran

Date January 26, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04v2)

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**FEE TRANSMITTAL**  
**For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

**Complete if Known**

Application Number 10/038,038

Filing Date 01/02/2002

First Named Inventor Ryan Rakvic

Examiner Name Kenneth S. Kim

Art Unit 2111

Attorney Docket No. P13150

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):☒ Deposit Account Deposit Account Number: 50-0221 Deposit Account Name: Intel Corporation

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

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Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	0

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims Extra Claims Fee (\$)

- 20 or HP = x =

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$)

- 3 or HP = x =

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

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Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$)

- 100 = / 50 = (round up to a whole number) x = 0

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 120

Fees Paid (\$)

120

**SUBMITTED BY**

Signature		Registration No. 50,804 (Attorney/Agent)	Telephone (408) 765-4692
Name (Print/Type)	David N. Tran		Date January 26, 2005

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Attorney's Docket No.: 42390.P13150

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:  
Ryan Rakvic, et al.

Examiner: Kenneth S. Kim

Application No. 10/038,038

Art Unit: 2111

Filed: 01/02/2002

Title: METHOD AND SYSTEM TO  
IDENTIFY SLOWABLE  
INSTRUCTIONS

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

AMENDMENT AND RESPONSE TO FIRST OFFICE ACTION

Sir:

In response to the Office Action mailed on October 18, 2004, for the above-referenced patent application, it is respectfully requested that the application be amended as follows and that the following remarks be considered:

CERTIFICATE OF TRANSMISSION

37 C.F.R. § 1.8(a)

I hereby certify that this correspondence is being  
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and Trademark Office on  
Date: January 26, 2005

Name: David N. Tran

Signature: 